


FILED

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

OCT 15 2013
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

CHRISTINA WOODWARD, Individually §
and On Behalf of All Others Similarly Situated, §
Plaintiff, §

v. §

TKO, LP and TKO GenPar, LLC, §
Defendants. §

Cause No. SA-12-CA-00616-OLG

**ORDER GRANTING IN PART PLAINTIFFS' MOTION TO COMPEL DEFENDANTS
TO COMPLY WITH COURT ORDER, REQUEST FOR ADDITIONAL TOLLING, AND
ATTORNEYS' FEES**

On this date the Court considered Plaintiffs' Emergency Motion to Compel Defendants to Comply with Court Order, Request for Additional Tolling, and for Attorneys' Fees (docket. no. 49). The Court has considered the arguments raised in Plaintiffs' motion, the other papers and pleadings filed in this case, and the applicable case law. The Court is of the opinion that Plaintiffs' motion should be GRANTED IN PART as follows:

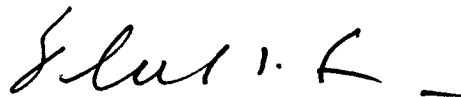
- **Within ten (10) days from entry of this Order**, the Court hereby ORDERS Defendants to produce in a usable electronic format: (1) the first and last names, and (2) last known physical and email addresses of all employees described in the Court's September 18, 2013 Order as part of the putative class, and who have been employed by TKO from October 2010 until the date of this Order;
- the Court ORDERS that all other opt-in deadlines set in the Court's September 18, 2013 Order are hereby ABATED;
- the Court further ORDERS that the statute of limitations, as it applies to any opt-in plaintiffs and members of the putative class, is hereby TOLLED from October 23, 2012,

the date on which Plaintiffs' Motion for Conditional Certification was filed, until thirty (30) days after Defendants produce all putative class information to Plaintiffs' counsel;

- the Court ORDERS Plaintiffs to file an advisory notifying the Court upon receipt of the putative class information from Defendants, or in the alternative, notifying the Court of Defendant's failure to produce the information within the time prescribed by the Court in this Order;
- the Court DENIES Plaintiffs' request to have Defendants pay Plaintiffs' counsel fees as a result of the delay in producing the putative class information; and
- any further relief requested in Plaintiffs' motion is hereby DENIED.

It is so ORDERED.

SIGNED this 15 day of Oct., 2013.



United States District Judge Orlando L. Garcia